IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIFTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 18803 of 1995

Between:

M. Sri Hari, w/o Venkateswara Rao,
R/o Raparthi Village, Pithapuram (M),
East Godavari Dist.

..... PETITIONER

AND

1 The State Of A.P. Rep by its Principal Secretary to Government Industries and commerce (Mines II) Department, Secretariat, Hyderabad.
2 The Deputy Director of Mines & Geology, Kakinada, East Godavaria Dist.
3 The Assistant Director of Mines and Geology, Rajahmundary , E.G.dist
4 B. Prabhakar Rao, R/o Raparthi (V), Pithapuram (M), E.G.dist

(R4 is impleaded as per court order dated 25.8.1995).
(Vide Order in Separate Sheet in oral order page No.4, R4 dismissed for default as per Court order, dated 19.7.2000)

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more particularly one in the nature of writ of Certiorari by calling for the records relating to and connected with the Memo. No. 1960/M.II(1)/94,d dated 22.7.95 of the 1st respondent and quash or set aside them, holding them illegal, unjust and unsustainable and consequently direct the respondent not to interfere with the right of the writ Petitioner to quarry sand in terms of the lease hold rights granted upon the Writ Petitioner.

For the Petitioner: MR.NOOTI RAMA MOHAN RAO, ADVOCATE

For the Respondents 1 to 3: G.P. FOR INDUSTRIES & COMMERCE

For the Respondent No.4: NONE APPEARED

The Court made the following:

THE HONOURABLE SRI JUSTICE D.S.R.VARMA

W.P.NO.18803 OF 1995

ORAL ORDER:

The learned counsel for the petitioner submits that the cause in this writ petition has become infructuous.

2. Recording the submission made by the learned counsel for the petitioner, the writ petition; is dismissed as having become infructuous. However, thee shall be no order as to costs.

3. The interim suspension granted by this Court in W.P.M.P.No.23008 of 1995, dated 25-08-1995, is hereby vacated.

---------- D.S.R.VARMA, J

25TH NOVEMBER 2004

ISN/KRK

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1.The Principal Secretary to Government, State of Andhra Pradesh, Industries and commerce (Mines II) Department, Secretariat, Hyderabad.
2.The Deputy Director of Mines & Geology, Kakinada, East Godavari District.
3.The Assistant Director of Mines and Geology, Rajahmundry, East Godavari District.
4.Two CCS to the Government Pleader for Industries and Commerce, High Court Buildings, Hyderabad (OUT).

5.Two CD copies.